

NRC Form 396 – NRC Perspectives



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NRC Form 396 - Preview

- When is it required?
- Who are the key players?
- What does NRC do with it?
- License restrictions/conditions
- Summary / Questions

Form 396 Is Required...

- ❑ To certify the fitness of a new license applicant (55.23, 55.31)
- ❑ To certify that a physician has examined any new permanent disability or illness, concluded that the operator meets the requirements of 55.21/33, and request a conditional license (55.25)
- ❑ To certify the continued fitness of a license renewal applicant (55.57)
- ❑ To submit medical information for NRC review

Form 396 is NOT Required...

- ❑ During the mid-term (2nd and 4th year) medical examinations, unless a reportable permanent disability or illness is identified (55.25)
- ❑ To report a temporary physical or mental condition
- ❑ To report a change in physical or mental condition that is not addressed in ANSI/ANS 3.4 and, in the physician's judgment, "will not adversely affect the performance of assigned operator job duties or cause operational errors" (55.33)
- ❑ When you determine that an operator is permanently disqualified under all conditions

The Key Players Include...

- ❑ The applicant/operator
- ❑ The facility's physician
- ❑ The facility licensee
- ❑ NRC Operator Licensing Assistants (OLA)
- ❑ NRC License Examiners
- ❑ NRC Regional Branch Chiefs (BC)
- ❑ NRR Operator Licensing Program Office (HQ)
- ❑ The NRC's contract physician

What Does NRC Do With Form 396?

- ❑ Upon receipt, the Regional OLA will...
 - verify the exam was within 6/24 months (new/renewal)
 - compare it with the previous submittal
 - request additional information if deemed necessary
 - forward any waiver and/or restriction/change beyond glasses and hearing aids to the NRC HQ/contract physician
- ❑ The NRC contract physician will...
 - evaluate the facility's recommended restriction and supporting medical evidence
 - request the OLA to obtain additional information if deemed necessary
 - concur with the recommended restriction or exercise medical judgment to propose an alternate

Then, Back in the Region ...

- The OLA will...
 - work with the BC and HQ, as necessary, to resolve any differences of opinion
 - contact the facility if we agree or disagree with their recommendation
 - determine if a license amendment is necessary and prepare the license
 - log/file the information and enter in the tracking system (e.g., 3, 6, 12 month reports)
- The Region will not issue a license until all medical issues are resolved
- Examiners are required to audit medical records and compliance with license restrictions during initial exams and/or requalification inspections

License Restrictions - General

- ❑ The physician / facility licensee shall propose the exact wording of any license restriction necessary to compensate for a disqualifying medical condition (ANSI/ANS 3.4)
- ❑ The Commission will consider the physician's recommendation and supporting evidence in arriving at a decision (55.33)
- ❑ NRC Form 396 includes a number of frequently used conditions in multiple choice format, but don't feel "restricted"
- ❑ Request medical waivers using NRC Form 398

Routine Restrictions/Conditions

- ❑ Corrective lenses
- ❑ Hearing aids
- ❑ No solo operation
- ❑ Take medication as prescribed
- ❑ Submit a medical status report
- ❑ No duties requiring a respirator
- ❑ Described in Section C.3.c of ES-605 of NUREG-1021

“No Solo Operation”

- ❑ There used to be two versions: “another qualified individual” or “someone capable of summoning assistance”
- ❑ Restrictions were generally not burdensome given normal staffing levels
- ❑ However, we tried to minimize the impact by treating control manipulations separately and crediting the peer check process
- ❑ Revision 9 of NUREG-1021 implemented the current RO and SRO restrictions
- ❑ The LSRO condition is similar to pre-Revision 9
- ❑ FAQ 605-10 recently provided clarification

“Take Medication as Prescribed”

- ❑ We discussed the basis behind this restriction yesterday
- ❑ No need to submit a new Form 396 until the next renewal unless a reportable change occurs
- ❑ Check the box if the operator’s medical qualification is contingent on taking a medication
- ❑ Dosage or medication changes do not need to be reported unless a permanent change in condition is recommended
- ❑ Discontinuing a prescribed medication on doctor’s orders does not need to be reported
- ❑ Medications that are not required to treat a condition addressed in ANSI/ANS 3.4 do not require a restriction
- ❑ Doctors need to consider the side-effects of medications prescribed for disorders not addressed in ANSI/ANS 3.4

Summary

- ❑ Primary responsibility for ensuring operators are medically and psychologically capable of performing duties rests with the facility licensee.
- ❑ If in doubt whether to submit Form 396, call your Regional Office for guidance.
- ❑ Check the Operator Licensing Feedback web page for clarification.
- ❑ Questions??